

REMARKS

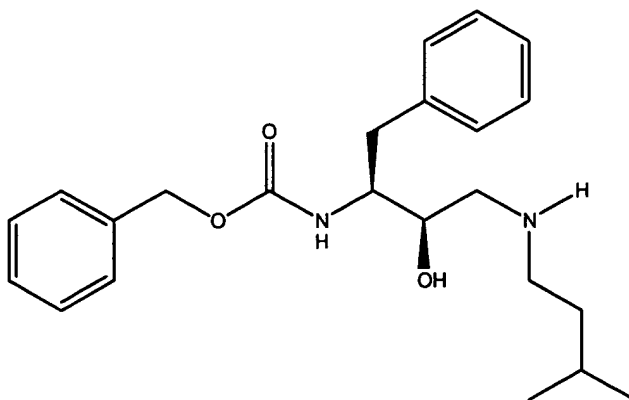
Claims 124-129 are pending in this application. Claims 1-123 have been canceled without prejudice or disclaimer in the Preliminary Amendment filed January 2, 2004.

The first paragraph of the specification has been amended to update the priority history of this application by specifically referring to the recently-issued parent U.S. Patent No. 6,743,929. This issued patent is also being cited in a Supplemental Information Disclosure Statement of even date.

Requirement under 35 U.S.C. §121 for Election of Species

To comply with the requirement under 35 U.S.C. § 121 imposed in the Office Action, Applicants hereby elect for examination the species, N-[3(S)-benzyloxycarbonylamino-2(R)-hydroxy-4-phenylbutyl]-N-isoamylamine.

This compound has the structure



and is a compound of claim 124, wherein P¹ is hydrogen; P² is the amino protecting group carbobenzoxy (see page 12, lines 8-9); R² is phenylmethyl (an aralkyl, as recited), and R³ is isoamyl (an alkyl, as recited).

The specification at page 27, line 1 to page 28, line 18 describes detailed procedures for the synthesis of this elected species. Synthetic procedures for a broader scope of amino alcohols embracing the elected species are described on page 54, line 29 to page 56, line 14. The use of the elected species as an intermediate in preparing sulfonamide derivatives is described on page 56, line 16 to page 59, line 17.

Claim 124 reads on this elected species.

CONCLUSION

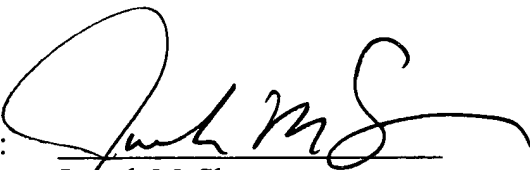
In summary, Applicants have now elected a species as required in the Office Action. Established procedures of MPEP § 803.02 require full examination of claims reading on this elected species.

Prompt and favorable consideration of the pending claims is earnestly solicited.

Respectfully submitted,

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